

# **Exhibit 2**

## Napier, Julia M - SOL

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**From:** Dalin, Patrick <pdalin@fisherphillips.com>  
**Sent:** Monday, October 17, 2022 1:46 PM  
**To:** Flores, Kim - SOL; Napier, Julia M - SOL  
**Cc:** Ringstad, Linda - SOL  
**Subject:** RE: Contact info  
**Attachments:** Copy of 0040 10-6-22- PSSI Empl First and Last Photo by Day.xls

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Ms. Flores,

Thank you for forwarding this letter. To be clear, PSSI was not refusing to produce the requested photographs. PSSI requested written clarification from the Department of Labor that it seeks these photographs in response to the warrant.

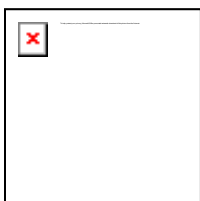
With the assistance of its third-party vendor, PSSI can produce the attached report of first-in/last-out daily punches for each employee, which contains the requested photos, as well as other information such as the employee's name. Please let me know if this will satisfy your demand. It is my understanding that PSSI's personnel discussed this report with the Department's on site team last week, and that on-site team stated that this report would satisfy its request.

The attached report shows the first-in and last-out punches for each employee. Therefore, it will provide two photographs per day for each employee. However, it does not provide photographs from other punches during the day, such as for meal and rest periods. The time punch data for those rest periods are, however, included in the time clock data that PSSI has already produced.

PSSI has requested its vendor to provide the attached report for the past three years for the three locations in Nebraska, Missouri, and Minnesota. We are hopeful that we will receive those reports today, however, the process is not within PSSI's control. Nevertheless, PSSI will promptly produce the records as soon as it receives them from its vendor.

Lastly, footnote 2 of the letter states that "DOL expects that all information and documents responsive to the Warrant . . . will be provided for PSSI worksites nationwide as part of a 14-day production schedule." It is my understanding that DOL and PSSI agreed that PSSI will produce the requested information for an agreed-upon sample of 50 sites within 14 days. Please confirm whether this is your understanding as well.

Please feel free to contact me if you want to discuss,



**Patrick Dalin**  
**Of Counsel**

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